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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,) Case No.: 2:16-cr-00005-RFB
Plaintiff,)
vs.) **STIPULATION TO CONTINUE
REVOCATION HEARING**
RICHARD SCAVONE,)
Defendant.) **(EIGHTH REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between BRIAN J. SMITH, counsel
for RICHARD SCAVONE, Christopher Chiou, Acting United States Attorney, and RACHEL
KENT, Assistant United States Attorney, that the revocation hearing currently scheduled for October
14, 2021, at the hour of 9:00 a.m., be vacated and set to a date and time convenient to this court, but
in no event earlier than ninety (90) days.

This Stipulation is entered into for the following:

1. The pending petition involves a New York State criminal charge. Defendant Scavone's
2. scheduled court date in that matter is January 10, 2022, because of the COVID pandemic.
3. The parties anticipate Defendant Scavone's state case will affect the resolution of the
4. pending petition.
5. Defendant Scavone, who is not in custody, agrees to the continuance.
6. Brian J. Smith, counsel for Scavone is in agreement with this continuance.

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5. Counsel for the government is in agreement with this continuance.
6. The additional time requested by this stipulation is made in good faith and not for
purpose of delay.
7. Additionally, denial of this request or continuance would result in a miscarriage of
justice.

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7 This is the eighth stipulation to continue filed herein.
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8 DATED this 7th day of October, 2021.
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10 RESPECTFULLY SUBMITTED BY:
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12 CHRISTOPHER CHIOU
13 Acting United States Attorney
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14 /s/ Rachel Kent
15 RACHEL KENT, ESQ.
16 Assistant United States Attorney
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14 /s/ Brian J. Smith
15 BRIAN J. SMITH, ESQ.
16 Attorney for SCAVONE
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

Based upon the submitted Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. The pending petition involves a New York State criminal charge. Defendant Scavone's scheduled court date in that matter is January 10, 2022, because of the COVID pandemic.
2. The parties anticipate Defendant Scavone's state case will affect the resolution of the pending petition.
3. Defendant Scavone, who is not in custody, agrees to the continuance.
4. Brian J. Smith, counsel for Scavone is in agreement with this continuance.
5. Counsel for the government is in agreement with this continuance.

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CONCLUSIONS OF LAW

1. Denial of this request for continuance would deny the defendant sufficient time to be able to fairly resolve his case, taking into account the exercise of due diligence.
2. The additional time requested by this stipulation is made in good faith and not for purpose of delay.
3. Additionally, denial of this request or continuance would result in a miscarriage of justice.

This is the eighth stipulation to continue filed herein.

ORDER

IT IS THEREFORE ORDERED that the revocation hearing currently scheduled for October 14, 2021, at the hour of 9:00 a.m., be vacated and continued to January 18, 2022 at the hour of 9:00 a.m.

DATED this 8th of October, 2021.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE